

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

RYAN DEKEYSER, et al.

Plaintiff(s),

v.

**TELEPHONE MOTION HEARING Re: [671]
Plaintiffs' Motion to Strike Defendant's Rebuttal
Expert Reports and [662] Plaintiff's Motion
Regarding Class Period for Phase 1 Trial Groupings
Case No. 08-C-488**

THYSSENKRUPP WAUPACA, INC.,

Defendant(s).

HONORABLE WILLIAM C. GRIESBACH presiding
Proceeding Held: June 1, 2018
Deputy Clerk: Cheryl

Time Called: 3:00 p.m.
Time Concluded: 3:59 p.m.
Tape: 060118

Appearances:

Plaintiff(s): T. Joseph Snodgrass and J. Gordon Rudd

Defendant(s): Paul Benson

[671] Plaintiffs' Motion to Strike Defendant's Rebuttal Expert Reports.

Mr. Snodgrass presents argument to strike rebuttal expert reports. Defendant should have filed a motion as instructed by the court.

3:06 p.m. – Mr. Benson apologizes for not filing a motion and following protocol regarding the rebuttal reports. Mr. Benson requests court to indulge them and decide the motion. The court explains that a motion would have informed the court as to what and why they needed to respond.

3:07 p.m. – The court explains that a motion would have informed the court as to what and why they needed to respond. The court comments on reports and if they are necessary.

3:10 p.m. – Mr. Benson responds. Mr. Benson explains roles of each expert.

3:17 p.m. – Mr. Snodgrass responds.

3:17 p.m. – The court comments on parties' arguments.

3:19 p.m. – Mr. Snodgrass presents further argument.

3:24 p.m. – Mr. Benson responds.

3:29 p.m. – Mr. Snodgrass responds.

3:35 p.m. – The court states that it is not inclined to strike evidence unless it is prejudicial.

3:37 p.m. – Mr. Snodgrass states that they are not trying to keep the information out.

3:39 p.m. – Mr. Benson comments on report of Mr. Ash as an employee.

3:41 p.m. – The court **denies** the motion to strike the rebuttal reports.

[662] Plaintiffs' Motion Regarding Class Period for Phase 1 Trial Groupings

The court review the history of class notices and notes there are approximately 300 new employees.

3:45 p.m. – Mr. Snodgrass presents argument.

3:48 p.m. – Mr. Benson responds.

3:48 p.m. – Mr. Snodgrass responds.

3:54 p.m. – The Court grants the motion. The court leaves the closure date as October 5, 2017.

3:55 p.m. – Mr. Benson provides clarification and comments on study and class period and asks the court to consider this information.

Mr. Snodgrass responds as to the report.

The court states that the report is not rendered inadmissible. It will have to be addressed at trial.